REMARKS

Allowable Subject Matter

The Examiner has indicated that claim 8 has been objected to, but would be allowable if written in independent form. As shown in the previous section, claim 8 has been drafted in independent form and now is in condition for immediate allowance. Applicant notes that claim 8 has merely been written in independent form, and no narrowing amendments have been made to the claim.

Claim Rejections - 35 USC § 102 and 103

Claims 1-24 are all the claims pending in the application. Applicant notes the Examiner has failed to address claims 22-24 within the Office Action. These claims were added with the Amendment of May 20, 2004.

35 U.S.C. § 102(e) Rejection - Claims 1-4, 6-8, 11, 12, 14, 17, 18 and 19

Claims 1-4, 6-8, 11, 12, 14, 17, 18 and 19 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Sullivan (US 6,884,183)). This rejection is respectfully traversed because Sullivan does not teach all the features and limitations of Applicant's claims.

In this rejection, the Examiner generally applies Sullivan with no direct citation to which portions of the reference allegedly read on Applicant's claims. Additionally, after a review of the reference, Applicant can find no portions of Sullivan that disclose a plurality of flat surface regions formed on the outermost spherical surface, as recited in claim 1. The reference discloses polygonal 12 or circular (Fig. 12) dimples, inter-sectional spacings (22, 24, 28; See Figs. 3A, 3B, 4 and 5) and inter-dimple spacings (20, 30, 32, 34, 36, 38, 52, 56; See Figs. 3A through 12). But, the reference fails to indicate in any embodiment that the inter-sectional or inter-dimple spacings form flat regions.

In contrast to Sullivan, the golf ball of the present invention has an outermost spherical surface, and a plurality of flat surface regions are formed on the outermost spherical surface. Such an arrangement is effective for reducing the proportion of the land area in the golf ball surface area, eventually reducing the air resistance of the ball in flight and drastically improving the flight performance of the ball. These features of the present invention are discussed in the present specification at: page 4, lines 24 to page 6, line 17, particularly, page 5, lines 11-18. See also the prior Remarks, page 11, lines 1-12, in the Response dated February 7, 2005.

On the other hand, Sullivan (USPN 6,884,183) discloses follows.

> "A golf ball comprising:
>
> a substantially spherical outer surface and a plurality of polygonal dimples formed thereon, said dimples are arranged in dicernable groupings such that the sides of adjacent dimples are substantially parallel to each other, and wherein the outer surface comprises first inter-dimple spacings (20) and second inter-sectional spacings (22) between adjacent dimples, the inter-sectional spacings defining the discernible groupings, wherein the first spacings and the second spacings have substantially constant width between any two adjacent dimples and wherein the width of the first spacings is different than the width of the second spacings
>
> wherein the inter-dimple spacings vary within at least one discernible grouping."

In rejecting the claims, the Examiner stated:

> Regarding claim 1, Sullivan discloses a golf ball having an outermost spherical surface wherein: (1) a plurality of flat surface regions are formed on the outermost spherical surface, where areas of said outermost spherical surface which are not formed of the flat regions are land areas on the outermost surface and (2) a dimple is disposed within the plurality of-flat surface regions (See Entire Document).

However, the golf ball of Sullivan does not have the features underlined above, namely: (1) a plurality of flat surface regions are: formed on the outermost spherical surface; and (2) a dimple is disposed within the plurality of flat surface regions. Specifically, Sullivan explains as follows in column 4, lines 48-55:

> "As shown generally in FIGS. 3A and 3B where like numbers designate like parts, reference number 10 broadly designates a golf ball 10 having a plurality of dimples 12 separated by outer un-dimpled or land surfaces. As shown, dimples 12 are triangular. Suitable dimples for use with this invention include any polygonal dimples, including triangular, square, rectangular, pentagon, hexagon, heptagon, octagon or any other polygons."

Specifically, Sullivan describes in column 5, lines 8-12 that the inter-dimple spacings (20), as shown in FIGS. 3A and 3B, are also the width or the width of the land surface segments interposed between adjacent dimples within a section of dimples. And, furthermore, the features of each of inter-dimple spacings (20) and the inter-dimple spacings (22) are explained in column 5, lines 13-20. See also col. 4, lines 48-55.

As described above, Sullivan differs from the present invention.

And, as set forth in the prior Remarks dated February 7, 2005, in the present invention, the land (the outermost spherical surface portion), the portion crossing three ridge-lines and the ridge lines is formed inside rather than the outermost spherical surface by diameter direction. See FIG. 4 for example. In contrast, Sullivan shows in Fig. 3A & 3B, that the inter-dimple spacings (20) and the inter-dimple spacings (22) correspond with the land surfaces (outermost spherical surface portion), as described in column 5, lines 8-12.

For at least the above reasons, Sullivan fails to disclose at least a plurality of flat surface regions on the outermost spherical surface and, therefore, fails to anticipate any one of claims 1-4, 6-8, 11, 12, 14, and 17-19.

35 U.S.C. § 103(a) Rejection - Claims 5, 9, 10, and 13

The Examiner has rejected claims 5, 9, 10, and 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sullivan (US 6,884,183). Applicant respectfully traverses this rejection.

Claim 13 contains the same limitation as claim 1, namely, a plurality of flat surface regions formed on the outermost spherical surface, and is thus allowable for at least the same above-noted reasons with regard to the deficiencies of Sullivan. Additionally, claims 5, 9, and 10 are allowable, at least by virtue of their dependency from independent claim 1.

35 U.S.C. § 103(a) Rejection - Claims 20 and 21

The Examiner has rejected claims 20 and 21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sullivan in view of Boehm (US 5,566,943).

As noted above, Sullivan is deficient.

Boehm (USPN 5,566,943) discloses as follows.

> "A golf ball in the shape of a sphere having a core and an outer cover, said cover defining an outer surface with a plurality of non-annular dimples in said outer surface, each dimple having a predetermined dimple perimeter on said outer surface to define an enclosed area having a diameter, the improvement wherein:
>
> a) each dimple has a bottom surface area spaced radially inwardly of said outer surface;
>
> b) said bottom surface area is substantially equal to the enclosed area defined by said perimeter; and
>
> c) said bottom surface are is at a constant depth from said outer surface along said diameter.

This rejection is traversed at least because Boehm does not disclose any flat portions and thus fails to make up for the above-noted deficiencies in Sullivan. Accordingly, claims 20 and 21 are allowable over the applied references.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

David P. Emery
Registration No. 55,154

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 28, 2005